



Attorney's Docket No.: 042390.P5368

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:

Hart et al.

Application No.: 09/275,273

Filed: 3/23/99

For: MULTIPLE VOLTAGE
REGULATORS FOR USE WITH A
SINGLE LOAD

Examiner: P. Myers

Art Group: 2181

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Assistant Commissioner for Patents
Washington, D.C. 20231

REPLY BRIEF
IN SUPPORT OF APPELLANTS' APPEAL
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Dear Sir:

Pursuant to 37 C.F.R. § 193(b)(1), Appellants hereby reply to the Examiner's Answer dated October 10, 2002.

Claims 1-18 are the subject of the appeal. The Examiner maintained the rejections of claims 1-18. The Examiner maintained that the '716 patent (Burstein et al.) teaches returning status information by disclosing returning how much current is passing through the switching circuit. (See Examiner's Answer p.3, last two lines). The Examiner noted that the '716 patent does not teach returning whether a regulator is enabled, but maintained that it would have been obvious to include whether the device is enabled in a return signal because this would provide

greater control and accuracy in current regulation. (See Examiner's Answer p.4, lines 3-7). The Examiner maintained that the combination of the '716 patent and the '364 patent (Biamonte) renders the invention obvious to one of ordinary skill in the art.

To make out a case of obviousness, the prior art references when combined must teach or suggest all limitations of the claims under examination. See M.P.E.P. 706.02(j). Claims 1-18 all include the limitation of a second voltage regulator providing a signal to a primary voltage regulator to indicate whether the secondary voltage regulator is enabled. As the Examiner has stated, neither the '716 patent nor the '364 patent teaches the feature of a second voltage regulator providing a signal to a primary voltage regulator to indicate whether the secondary voltage regulator is enabled. (See Examiner's Answer p. 6, lines 4-8). None of the prior art references of record, taken individually or in combination, teach or suggest the limitation of a second voltage regulator providing a signal to a primary voltage regulator to indicate whether the secondary voltage regulator is enabled. Therefore, the invention as claimed in claims 1-18 is patentable over the prior art references of record.

The Examiner states in the Examiner's Answer that the '716 patent does not teach a second voltage regulator providing a signal to a primary voltage regulator to indicate whether the secondary voltage regulator is enabled. (See Examiner's Answer p.4, lines 3-7). However, the Examiner states that whether the second regulator is enabled would be very important status information in current flow control. (See Examiner's Answer p. 7, lines 9-10) Appellants do not agree. In the '716 patent's system, voltage is regulated using current control, so the system generates a feedback signal representing the current passing through the switching circuit. The system does not generate a signal to indicate whether the second regulator is enabled.

Generating a signal to indicate whether the second regulator is enabled does not tell the '716 patent's system the amount of current flow through the switching circuit. The Examiner suggests that if the regulator is not enabled in the '716 patent's system, the current flow would be zero. (See Examiner's Answer p. 7, lines 6-9). The Examiner omits to point out that if the regulator is enabled, the current flow could be a wide range of values. Therefore, providing

information on whether the regulator is enabled does not indicate the amount of current flowing in the switching circuit. Thus, providing whether the second regulator is enabled is not important feedback information to the '716 patent system. The '716 patent system needs to know the amount of current flow through the switching circuit in order to regulate voltage using current control. Therefore, the '716 patent does not teach or suggest providing a signal to a primary voltage regulator to indicate whether the secondary voltage regulator is enabled.

The Examiner has taken Official Notice that whether a device is enabled is an important bit of status information. (See Final Office Action p. 3, lines 6-7 and Examiner's Answer p. 6, lines 9-10). The Examiner is mistaken that this Official Notice was not challenged. (See Examiner's Answer p. 8, last two lines). Appellants traversed the taking of Official Notice that whether a device is enabled is an important bit of status information on two occasions (See response to Final Office Action p. 3, lines 14-16 and Appeal Brief p. 11, lines 8-9). Applicants went on to explain that the importance of returning a type of signal depends on the type of system involved. Therefore, Appellants do not agree with the Examiner's taking Official Notice that whether a device is enabled is an important bit of status information.

The Examiner has stated in the Final Office Action and in the Examiner's Answer that returning whether a device is enabled is obvious because this provides greater control and accuracy in current regulation. (See Final Office Action, p. 3, lines 7-9, and Examiner's Answer, p. 4, lines 5-7). Appellants do not agree. Generating a signal representing the amount of current flowing through the switching circuit, as in the '716 patent's system, provides control and accuracy in current regulation. However, providing information on whether the second regulator is enabled does not indicate how much current is flowing in the switching circuit. Therefore, providing a signal indicating whether the second regulator is enabled does not provide greater control and accuracy in current regulation.

None of the prior art references of record teach or suggest providing a signal to a primary voltage regulator to indicate whether the secondary voltage regulator is enabled, as recited in claims 1-18. Therefore, claims 1-18 are allowable over the prior art references of record.

For all of the above-stated reasons, Appellants respectfully request that the Board reverse the Examiner's Section 103 rejections and return the application to the Examiner with instructions to promptly allow pending claims 1-18.

Respectfully submitted,

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Date: 12/05/02

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